

House File 2465

H-8440

1 Amend House File 2465 as follows:

2 1. Page 11, after line 22 by inserting:

3 <Sec. _____. Section 135.156E, subsection 1,
4 paragraph b, if enacted by 2012 Iowa Acts, Senate File
5 2318, section 14, is amended to read as follows:

6 b. Require authentication controls to verify the
7 ~~identify identity~~ and role of the participant using the
8 Iowa health information network.>

9 2. Page 13, after line 31 by inserting:

10 <Sec. _____. Section 161A.63, Code 2011, as amended
11 by 2012 Iowa Acts, Senate File 2311, section 16, if
12 enacted, is amended to read as follows:

13 **161A.63 Right of purchaser of agricultural land to**
14 **obtain information.**

15 A prospective purchaser of an interest in
16 agricultural land located in this state is entitled
17 to obtain from the seller, or from the office of the
18 soil and water conservation district in which the land
19 is located, a copy of the most recently updated farm
20 unit soil conservation plan, developed pursuant to
21 section 161A.62, subsection 2, which ~~are~~ is applicable
22 to the agricultural land proposed to be purchased. A
23 prospective purchaser of an interest in agricultural
24 land located in this state is entitled to obtain
25 additional copies of ~~either or both~~ of the ~~documents~~
26 document referred to in this section from the office of
27 the soil and water conservation district in which the
28 land is located, promptly upon request, at a fee not to
29 exceed the cost of reproducing them. All persons who
30 identify themselves to the commissioners or staff of
31 a soil and water conservation district as prospective
32 purchasers of agricultural land in the district shall
33 be given information, prepared in accordance with
34 rules of the department, which clearly explains the
35 provisions of section 161A.76.

36 Sec. _____. Section 203C.14, Code 2011, as amended
37 by 2012 Iowa Acts, Senate File 2311, section 107, if
38 enacted, is amended to read as follows:

39 **203C.14 Suit — claims — notice of revocation.**

40 1. A person injured by the breach of an obligation
41 of a warehouse operator, for the performance of which a
42 bond on agricultural products other than bulk grain, a
43 deficiency bond, or an irrevocable letter of credit has
44 been given under any of the provisions of this chapter,
45 may sue on the bond on agricultural products other than
46 bulk grain, deficiency bond, or irrevocable letter of
47 credit in the person's own name in a court of competent
48 jurisdiction to recover any damages the person has
49 sustained by reason of the breach.

50 2. a. Upon the cessation of a warehouse operator's

1 license due to revocation, cancellation, or expiration,
2 a claim against the warehouse operator arising
3 under this chapter shall be made in writing with
4 the warehouse operator, with the issuer of a bond
5 on agricultural products other than bulk grain, a
6 deficiency bond, or an irrevocable letter of credit,
7 and, if the claim relates to bulk grain, with the
8 department. The claim must be made within one hundred
9 twenty days after the cessation of the license. The
10 failure to make a timely claim relieves the issuer
11 and, if the claim relates to bulk grain, the grain
12 depositors and sellers indemnity fund provided in
13 chapter 203D of all obligations to the claimant.

14 ~~3.~~ b. Upon revocation of a warehouse license, the
15 department shall cause notice of the revocation to be
16 published once each week for two consecutive weeks
17 in a newspaper of general circulation in each of the
18 counties in which the licensee maintains a business
19 location and in a newspaper of general circulation
20 within the state. The notice shall state the name and
21 address of the warehouse operator and the effective
22 date of revocation. The notice shall also state that
23 any claims against the warehouse operator shall be made
24 in writing and sent by ordinary mail to the warehouse
25 operator, to the issuer of a bond on agricultural
26 products other than bulk grain, deficiency bond, or an
27 irrevocable letter of credit, and to the department
28 within one hundred twenty days after revocation, and
29 the notice shall state that the failure to make a
30 timely claim does not relieve the warehouse operator
31 from liability to the claimant.

32 c. This ~~paragraph~~ subsection does not apply if
33 a receiver is appointed as provided in this chapter
34 pursuant to a petition which is filed by the department
35 prior to the expiration of one hundred twenty days
36 after ~~revocation, termination, or cancellation~~
37 ~~cessation of the license.~~>

38 3. Page 15, after line 18 by inserting:

39 <Sec. _____. Section 326.3, subsection 19, if enacted
40 by 2012 Iowa Acts, Senate File 2216, section 19, is
41 amended to read as follows:

42 19. "*Operational records*" means source documents
43 that evidence distance traveled by a fleet in each
44 member jurisdiction, such as ~~fuel~~ fuel reports, trip
45 sheets, and driver logs, including those which may
46 be generated through on-board devices and maintained
47 electronically, as required by the audit procedures
48 manual.

49 Sec. _____. Section 418.4, subsection 1, paragraph b,
50 if enacted by 2012 Iowa Acts, Senate File 2217, section

1 5, is amended to read as follows:

2 *b.* A governmental entity as defined in section
3 418.1, subsection 4, paragraph "c", shall have the
4 power to construct, acquire, own, repair, improve,
5 operate, and maintain a project, may sue and be sued,
6 contract, and acquire and hold real and personal
7 property, subject to the limitation in paragraph "c",
8 and shall have such other powers as may be included in
9 the chapter 28E agreement. Such a governmental entity
10 may contract with a city or the county participating in
11 the chapter 28E agreement to perform any governmental
12 service, activity, or undertaking that the city or
13 county is authorized by law to perform, including but
14 not limited to contracts for administrative services.

15 Sec. _____. Section 418.5, subsection 7, if enacted
16 by 2012 Iowa Acts, Senate File 2217, section 6, is
17 amended to read as follows:

18 7. A majority of the ~~board~~ voting members
19 constitutes a quorum.

20 Sec. _____. Section 418.9, subsection 2, paragraph g,
21 if enacted by 2012 Iowa Acts, Senate File 2217, section
22 10, is amended to read as follows:

23 *g.* Whether the project plan is consistent with
24 the applicable comprehensive, ~~countywide~~ emergency
25 operations plan in effect and other applicable local
26 hazard mitigation plans.

27 Sec. _____. Section 504.719, subsection 3, as enacted
28 by 2012 Iowa Acts, Senate File 2260, section 8, is
29 amended to read as follows:

30 3. An inspector may, but is not required to, be a
31 director, ~~member of a designated body,~~ member, officer,
32 or employee of the corporation. A person who is a
33 candidate for an office to be filled at the meeting
34 shall not be an inspector at that meeting.>

35 4. Page 17, after line 29 by inserting:

36 <Sec. _____. EFFECTIVE UPON ENACTMENT. The section
37 of this division of this Act amending section 135.156E,
38 subsection 1, paragraph b, being deemed of immediate
39 importance, takes effect upon enactment.

40 Sec. _____. RETROACTIVE APPLICABILITY. The section
41 of this division of this Act amending section 135.156E,
42 subsection 1, paragraph b, applies retroactively to the
43 effective date of 2012 Iowa Acts, Senate File 2318.>

44 5. Page 18, after line 2 by inserting:

45 <Sec. _____. EFFECTIVE UPON ENACTMENT. The sections
46 of this division of this Act amending section 418.4,
47 subsection 1, paragraph b, section 418.5, subsection
48 7, and section 418.9, subsection 2, paragraph g,
49 being deemed of immediate importance, take effect upon
50 enactment.

1 Sec. ____ . RETROACTIVE APPLICABILITY. The sections
2 of this division of this Act amending section 418.4,
3 subsection 1, paragraph b, section 418.5, subsection
4 7, and section 418.9, subsection 2, paragraph g, apply
5 retroactively to the effective date of 2012 Iowa Acts,
6 Senate File 2217.>
7 6. By renumbering as necessary.

WAGNER of Linn